

JS 44 (Rev. 02/19)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Dominick DeSimone

(b) County of Residence of First Listed Plaintiff Philadelphia, PA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Andrew B. Austin, Esq., P.O. Box 54628, Philadelphia, PA 19148
(610) 656-1956

DEFENDANTSU.S. Claims Services Inc., and
Paul Hashim

County of Residence of First Listed Defendant Kern, CA
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

John P. Quinn, Esq., Marshall Dennehey Warner Coleman & Goggin
2000 Market St., 23rd Floor, Philadelphia, PA (215) 575-2883

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question
(U.S. Government Not a Party)
- ☒ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input checked="" type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. § 1332

Brief description of cause:

Class Action under PA Unfair Trade Practices Consumer Protection Law and Texas Deceptive Trade Practice Act

VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
+ 50,000.00

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE
12/27/2019

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: Dominick DeSimone, 845 Cross Street, Philadelphia, PA 19147

Address of Defendant: U.S. Claims Services, Inc., 3801 Pegasus Dr, #101, Bakersfield, CA 93308, Paul Hashim, 852 Lombardy Ct, Fort Worth, TX 76122

Place of Accident, Incident or Transaction: Philadelphia, PA and Bakersfield, CA

RELATED CASE, IF ANY:

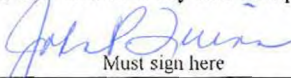
Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- | | | |
|--|---|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☒ is / ☐ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 12/27/2019


Must sign here
Attorney-at-Law / Pro Se Plaintiff

85239

Attorney I.D. # (if applicable)

CIVIL: (Place a √ in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Patent
- ☐ 6. Labor-Management Relations
- ☐ 7. Civil Rights
- ☐ 8. Habeas Corpus
- ☐ 9. Securities Act(s) Cases
- ☐ 10. Social Security Review Cases
- ☐ 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (Please specify): _____
- ☐ 7. Products Liability
- ☐ 8. Products Liability - Asbestos
- ☒ 9. All other Diversity Cases
(Please specify): Class Action, Pennsylvania UTPCPL

ARBITRATION CERTIFICATION


(The effect of this certification is to remove the case from eligibility for arbitration.)

I, John P. Quinn, counsel of record or pro se plaintiff, do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

☐ Relief other than monetary damages is sought.

DATE: 12/27/2019


Sign here if applicable
Attorney-at-Law / Pro Se Plaintiff

85239

Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Dominick DeSimone

CIVIL ACTION

v.

U.S. Claims Services Inc. , and

Paul Hashim

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) (X)
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

12/27/2019	John P. Quinn	U.S. Claims Services, Inc. and Paul Hashim
Date	Attorney-at-law	Attorney for
(215) 575-2883	(215) 575-0856	jpquinn@mdwccg.com
Telephone	FAX Number	E-Mail Address

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Dominick DeSimone, <i>Plaintiff(s)</i>	:	
	:	CIVIL ACTION
v.	:	
	:	NO:
U.S. Claims Services Inc., <i>and</i>	:	
Paul Hashim, <i>Defendant(s)</i> .	:	
	:	

NOTICE OF REMOVAL

U.S. Claim Services, Inc. and Paul Hashim (“Defendants”), by and through its attorneys, Marshall Dennehey Warner Coleman & Goggin, hereby remove this action from the Court of Common Pleas, Philadelphia County, to the United States District Court for the Eastern District of Pennsylvania. Removal is proper under the Class Action Fairness Act of 2005 (“CAFA”), 28 U.S.C. §§ 1332, 1441, 1446 and 1453.

I. BACKGROUND

1. Plaintiff Dominic DeSimone filed this action on or about December 2, 2019 against Defendants alleging claims under the Pennsylvania Unfair Trade Practices and Consumer Protection Act (73 P.S. §§ 201-1, *et seq.*) and the Texas Deceptive Trade Practices-Consumer Protection Act (Tex. Bus. & Com. Code §§ 17.41, *et seq.*) on behalf of himself and a putative class.

2. Plaintiff’s class is defined as “all persons nationwide that [*sic*] were solicited – and had successful claims to recover personal, family or household property – for which monies were

involved – or debited – by Defendant U.S. Claim Services between January 11th 2018 and present.”
(See Exhibit 1 at ¶ 38.)

3. Plaintiff alleges that the potential number of class members “is estimated to be more than one-thousand.” (See Exhibit 1 at ¶ 45.)

4. Plaintiff alleges that the average class member’s claim is between \$100 and \$1,000 per class member. (See Exhibit 1 at ¶ 49.)

5. Plaintiff also seeks treble damages under Pennsylvania and Texas law, as well as injunctive relief. (See Exhibit 1 at ¶¶ 60-61.)

6. Plaintiff filed this action under the caption Dominic DeSimone v. U.S. Claim Services, Inc. and Paul Hashim, in the Court of Common Pleas, Philadelphia County, Case No. 191200218.

7. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of all pleadings and documents filed and served to date in this action are attached as Exhibit 1.

8. The Complaint was served on Defendants on December 9, 2019 and December 13, 2019.

9. This Notice of Removal is therefore timely under 28 U.S.C. §1446(b).

II. REMOVAL IS PROPER UNDER THE CAFA

10. This Court has original subject matter jurisdiction over plaintiffs’ claims under the CAFA because this case is a “class action” that satisfies the CAFA’s requirements.

11. CAFA’s definition of “class action” includes any action “filed under rule 23 of the Federal Rules of Civil Procedure or similar State statute or rule of judicial procedure authorizing an action be brought by 1 or more representative persons as a class.” 28 U.S.C. §1332(d)(1)(B).

12. This action was filed under Pennsylvania Rules of Civil Procedure sections 1702, 1708 and 1709, which govern class actions filed in Pennsylvania state court.

13. Under the CAFA, this Court has original jurisdiction over any civil action “in which the matter in controversy exceeds the sum or value of \$5,000,000, exclusive of interest and costs, and is a class action in which . . . (A) any member of a class of plaintiffs is a citizen of a State different from any defendant.” (28 U.S.C. §1332(d)(2).)

14. As stated above, Plaintiff DeSimone alleges that the number of class members is estimated to be greater than 1,000, and the average amount of each member’s claim is between \$100 and \$1,000.

15. Plaintiff further seeks treble damages and injunctive relief under the Pennsylvania Unfair Trade Practices and Consumer Protection Act (73 P.S. §§ 201-1, *et seq.*) and the Texas Deceptive Trade Practices-Consumer Protection Act (Tex. Bus. & Com. Code §§ 17.41, *et seq.*).

16. Accordingly, Plaintiff seeks in excess of \$300 to \$3,000 in damages per putative class member, in addition to injunctive relief.

17. Based on the allegations set forth in the Complaint, Defendants hereby allege that the aggregate amount in controversy of the more than 1,000 putative class members exceeds \$5,000,000.

18. Furthermore, this is a class action in which a member of the class of plaintiffs is a citizen of a State different from any defendant.

19. Plaintiff is a citizen of the State of Pennsylvania, and resides at 845 Cross Street, Philadelphia, Pennsylvania, 19147.

20. Defendant U.S Claim Services, Inc. is a Texas corporation located at 3801 Pegasus Dr., Unit No. 101, Bakersfield, California, 93380.

21. Defendant Paul Hashim is a citizen of the State of Texas.

22. Because none of the named Defendants is a citizen of Pennsylvania, the local controversy exceptions in 28 U.S.C. §§ 1332(d)(3) – (4) do not apply. Nor do any other exceptions to the CAFA apply in this case; in any event, Plaintiff bears the burden of demonstrating an exception applies in this case .

III. REMOVAL TO THIS JURISDICTION IS PROPER

23. Pursuant to 28 U.S.C. §§ 1332, 1441, 1446, and 1453, removal of this action from the Court of Common Pleas to the United States District Court for the Eastern District of Pennsylvania is appropriate.

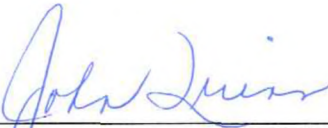
24. The removal of this action to this Court is proper under 28 U.S.C. § 1441(a) because the Court of Common Pleas of Philadelphia is located within this federal judicial district.

25. Counsel for Defendants hereby certify that they will file a copy of this Notice of Removal with the Clerk of the Court of Common Pleas of Philadelphia County and provide notice of this filing to Plaintiff, as required by 28 U.S.C. § 1446(d).

Respectfully submitted,

MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN

BY:



JOHN P. QUINN, ESQUIRE
2000 Market Street
Suite 2300
Philadelphia, PA 19103
(215) 575-2883
Attorney for Defendants, U.S. Claim Services, Inc. and
Paul Hashim

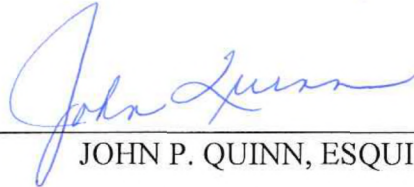
December 27, 2019

CERTIFICATE OF SERVICE

The undersigned hereby certifies that I caused a true and correct timestamped copy of the foregoing Notice of Removal of a Civil Action to be served upon the following known counsel this 27th day of December, via United States First-Class mail, postage prepaid:

Andrew B. Austin, Esq.
PO Box 54628
Philadelphia, PA 19148

BY:



JOHN P. QUINN, ESQUIRE

Exhibit A


 No Items in Cart **LOGOUT** kgrethlei

Civil Docket Report

A \$5 Convenience fee will be added to the transaction at checkout.

Case Description

Case ID: 191200218
Case Caption: DESIMONE VS HASHIM ETAL
Filing Date: Monday , December 02nd, 2019
Court: CLASS ACTION
Location: City Hall
Jury: JURY
Case Type: CLASS ACTION
Status: WAITING TO LIST CASE MGMT CONF

Related Cases

No related cases were found.

Case Event Schedule

No case events were found.

Case motions

No case motions were found.


Case Parties

Seq #	Assoc	Expn Date	Type	Name
1			ATTORNEY FOR PLAINTIFF	AUSTIN, ANDREW B
Address:	PO BOX 54628 PHILADELPHIA PA 19148 (610)656-1956	Aliases:	none	
2			DEFENDANT	HASHIM, PAUL R
Address:	852 LOMBARDY CT FORT WORTH TX 76122	Aliases:	none	
3			DEFENDANT	US CLAIMS SERVICES
Address:	3801 PEGASUS DR	Aliases:	PAYNE RICHARDS & ASSOCIATES	

#101 BAKERSFILED CA 93308				
4	1		PLAINTIFF	DESIMONE, DOMINICK
Address:	845 CROSS STREET PHILADELPHIA PA 19147	Aliases:	none	
5			TEAM LEADER	GLAZER, GARY S
Address:	469 CITY HALL PHILADELPHIA PA 19107 (215)686-9540	Aliases:	none	

Docket Entries

Filing Date/Time	Docket Type	Filing Party	Disposition Amount	Approval/Entry Date
02-DEC-2019 07:18 PM	ACTIVE CASE			03-DEC-2019 09:47 AM
Docket Entry:	E-Filing Number: 1911063829			
02-DEC-2019 07:18 PM	COMMENCEMENT CIVIL ACTION JURY	AUSTIN, ANDREW B		03-DEC-2019 09:47 AM
Documents:	Click link(s) to preview/purchase the documents Final Cover		 Click HERE to purchase all documents related to this one docket entry	
Docket Entry:	none.			
02-DEC-2019 07:18 PM	COMPLAINT FILED NOTICE GIVEN	AUSTIN, ANDREW B		03-DEC-2019 09:47 AM
Documents:	Click link(s) to preview/purchase the documents 2019-12-02 Complaint.pdf		 Click HERE to purchase all documents related to this one docket entry	
Docket Entry:	COMPLAINT WITH NOTICE TO DEFEND WITHIN TWENTY (20) DAYS AFTER SERVICE IN ACCORDANCE WITH RULE 1018.1 FILED.			

02-DEC-2019 07:18 PM	JURY TRIAL PERFECTED	AUSTIN, ANDREW B		03-DEC-2019 09:47 AM
Docket Entry:	12 JURORS REQUESTED.			
02-DEC-2019 07:18 PM	WAITING TO LIST CASE MGMT CONF	AUSTIN, ANDREW B		03-DEC-2019 09:47 AM
Docket Entry:	none.			
20-DEC-2019 09:10 AM	AFFIDAVIT OF SERVICE FILED	AUSTIN, ANDREW B		20-DEC-2019 09:18 AM
Documents:	Click link(s) to preview/purchase the documents 2019-12-20 Affidavit of Service.pdf <div>  Click HERE to purchase all documents related to this one docket entry </div>			
Docket Entry:	AFFIDAVIT OF SERVICE OF PLAINTIFF'S COMPLAINT UPON US CLAIMS SERVICES AND PAUL R HASHIM BY CERTIFIED MAIL ON 12/13/2019 FILED. (FILED ON BEHALF OF DOMINICK DESIMONE)			

[▶ Case Description](#)
[▶ Related Cases](#)
[▶ Event Schedule](#)
[▶ Case Parties](#)
[▶ Docket Entries](#)
[E-Filing System](#)
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Court of Common Pleas of Philadelphia County
Trial Division**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

DECEMBER 2019**000218**

E-Filing Number: 1911063829

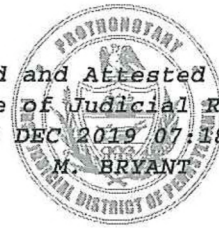
PLAINTIFF'S NAME DOMINICK DESIMONE		DEFENDANT'S NAME PAUL R. HASHIM	
PLAINTIFF'S ADDRESS 845 CROSS STREET PHILADELPHIA PA 19147		DEFENDANT'S ADDRESS 852 LOMBARDY CT FORT WORTH TX 76122	
PLAINTIFF'S NAME		DEFENDANT'S NAME U.S. CLAIMS SERVICES, ALIAS: PAYNE RICHARDS & ASSOCIATES	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS 3801 PEGASUS DR #101 BAKERSFIELD CA 93308	
PLAINTIFF'S NAME		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 2	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input checked="" type="checkbox"/> Other: CLASS ACTION		
CASE TYPE AND CODE C1 - CLASS ACTION			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		<div style="text-align: center;"> FILED PRO PROTHY DEC 02 2019 M. BRYANT </div>	
		IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>DOMINICK DESIMONE</u> Papers may be served at the address set forth below.			
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY ANDREW B. AUSTIN		ADDRESS PO BOX 54628 PHILADELPHIA PA 19148	
PHONE NUMBER (610) 656-1956	FAX NUMBER none entered		
SUPREME COURT IDENTIFICATION NO. 323768		E-MAIL ADDRESS austin@stackhousegroup.com	
SIGNATURE OF FILING ATTORNEY OR PARTY ANDREW AUSTIN		DATE SUBMITTED Monday, December 02, 2019, 07:18 pm	

FINAL COPY (Approved by the Prothonotary Clerk)

Andrew B. Austin, Esq.
Pennsylvania Bar # 323768
Attorney for Plaintiff and Proposed Class

P.O. Box # 54628
Philadelphia, Pennsylvania 19148
+1 (610) 656-1956
austin@stackhousegroup.com

Filed and Attested by the
Office of Judicial Records
02 DEC 2019 07:18 pm



Dominick DeSimone, *Plaintiff(s)*;

vs.

U.S. Claims Services Inc., and Paul
Hashim, *Defendant(s)*.

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

December Term, 2019

No. _____

CLASS ACTION,
JURY TRIAL DEMANDED

COMPLAINT—CLASS ACTION

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PHILADELPHIA BAR ASSOCIATION
Lawyer Referral and Information Service
1101 Market Street, 11th Floor
Philadelphia, Pennsylvania 19107
(215) 238-1701

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

**ASOCIACIÓN DE LICENCIADOS
DE FILADELFIA**
Servicio De Referencia E Información Legal
1101 Market Street, 11th Floor
Filadelfia, Pennsylvania 19107
(215) 238-1701

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INTRODUCTION

Plaintiff Dominick DeSimone, on behalf of himself and all others similarly situated, by and through his undersigned counsel, hereby brings this action for **damages and injunctive relief** against Paul Hashim and U.S. Claims Services, alleging they have violated state Unfair or Deceptive Acts or Practices (UDAP) laws—specifically the Pennsylvania Unfair Trade Practices Consumer Protection Law (UTPCPL), 73 P.S. §§ 201–1 *et seq.* and Texas Deceptive Trade Practices-Consumer Protection Act, Tex. Bus. & Com. Code Ann. §§ 17.41 *et seq.*—through deception and misrepresentation causing individual property owners to believe that their services were required to recover unclaimed property that was escheated to the state, and therefore allege as follows:

PARTIES

1. Plaintiff **Dominick DeSimone**, on behalf of himself and all others similarly situated, is an adult individual who resides at 845 Cross Street, Philadelphia, Pennsylvania, 19147. Mr. DeSimone had unclaimed property that was escheated to the Commonwealth of Pennsylvania.
2. Defendant **U.S. Claims Services, Inc.** is a Texas Corporation (#0802905239) with a principal place of business at 3801 Pegasus Drive #101, Bakersfield, California, 93308. U.S. Claims Services, Inc. seems to operate under a multitude of names currently and in the past, including: New Deal Development, Inc; Payne Richards & Associates; Joseph Richards & Associates; among others. U.S. Claims Services (and the associated companies) are, upon information and belief, merely parts of a single enterprise, which is operated for the benefit of– and dominated by– Mr. Hashim and his family.
3. Defendant **Paul R. Hashim** is an adult individual who is believed to reside at 852 Lombardy Court, Fort Worth, Texas, 76122. Mr. Hashim is listed as the sole director and executive of Defendant U.S. Claims Services. Mr. Hashim is also a ‘Finder’ registered with the Pennsylvania Treasurer (# 09801131-0315).

JURISDICTION & VENUE

4. This Court has unlimited original jurisdiction under 42 Pa. C.S. § 931 (a), and venue is proper as the transaction or occurrence out of which this cause of action arose was via mail addressed to– and received by– a resident of Philadelphia County, Pa. R.C.P. No. 2179.
5. This Court has specific personal jurisdiction over the Defendants because both have affirmatively established and maintained contacts with the Commonwealth of Pennsylvania in registering with the Pennsylvania Department of Treasury and regularly– and continuously– solicit Pennsylvanians to utilize their services.
6. Based upon representations by Counsel for the Defendant U.S. Claims Services that it is a “not a large company, but is a small family-owned business,” this action is not subject to federal jurisdiction under the Class Action Fairness Act, 28 U.S.C. § 1332 (d), as the amount-in-controversy does not exceed \$5,000,000.

FACTS

Business of Unclaimed Property

7. Defendants Paul Hashim and U.S. Claims Services are “finders” engaged in the business of connecting property owners with their unclaimed property escheated to the state.
8. Defendants identify Unclaimed Property by querying the various statutorily-designated agencies that receive it, normally the state Department of Treasury. Once the Defendants have identified Unclaimed Property of sufficient value to be of interest in their business, they then ‘locate’ the property owner using commonly available tools like Intellius People Search and/or LexisNexis Public Records.
9. Defendants then contact the property owners, where they notice the owner of the unclaimed property and provide a form to complete in order to recover it. The form is actually a contract between the property owner and Defendant U.S. Claims Services, that claims to provide “services, including but

not limited to: ordering/providing proper forms, answering any questions, and following up with the claim status” in exchange for a portion (sometimes exceeding 30%) of the unclaimed funds.

10. Once the property owners complete the contract, have it notarized, and return it, the Defendants then complete the claim for the property owners. In most states, the full value of the unclaimed property monies are forwarded directly to the property owner (and is not received by the Defendants). After the monies are received, the Defendants then submit an invoice to the property owner for their fee; any unpaid fees are submitted to a collections agency.

Finders are Entirely Unnecessary

11. Nowhere does Defendant U.S. Claims Services disclose in their contract that their services are unnecessary, or that the property-owner can recover their unclaimed monies **without any fees** and their entire business model is based upon the property-owners mistaken belief that the finders services are necessary.
12. However, it is extremely easy for a property owner to locate and claim property on their own, simply by contacting their appropriate state treasurer. Every state maintains a web-site, and the National Association of Unclaimed Property Administrators, an organization of the state treasurers and agencies responsible for the escheated funds—maintains a web-site providing direct links and instructional information on collecting their property at unclaimed.org.
13. Each state also maintains an office that is open during business hours and able to field property-owners' questions and provide information on their claim. Most (if not all states) also provide a way to automatically track the status of their claims.
14. For example, the Pennsylvania Department of Treasury (<http://www.patreasury.gov/unclaimed-property/>) will allow an individual via their web-site to search for unclaimed property and generate the necessary claim form to recover the money, which can be accomplished in minutes by the property owner. Pennsylvania Treasury provides a telephone number (800) 222-2046, staffed

during normal business hours, where property owners can ask questions and receive assistance, as well as an online portal on that same web-site where they are able to input a claim number or web inquiry ID which will allow them to check the status of the claim.

15. Ultimately, none of the alleged ‘services’ offered by Defendant U.S. Claims Services are needed by the property owner: all of the services they provide (forms, questions, and status) are freely provided by the various State agencies holding the unclaimed property.
16. In fact, Defendants can not claim that their business is not based in deception, as they have been the subject of numerous Better Business Bureau complaints and newspaper articles.
17. Additionally, Defendant Hashim’s brother, Aaron Hashim—who purported to be owner of their predecessor company, New Concepts Development Company (d/b/a “U.S. Claims Services”)—was interviewed by the Los Angeles Times in 2014. David Lazarus, *Firm Charges Fee For Refund Data You Can Get Free*, Los Angeles Times (06/30/2014), www.latimes.com/business/la-fi-lazarus-20140701-column.html.
18. In that interview, Aaron Hashim admitted **many people pay a fee to his companies because they have no idea they often can get their money themselves for free** and stated: “[i]f we told people where to go, we’d never get a call back.” *Id.*
19. In that same 2014 article, the Los Angeles Times wrote: “No one in their right mind would pay a private company to perform a relatively simple task that anyone could do for nothing” and further “[the Hashims’] business model rests almost entirely on giving clients the false impression that they can’t get the money without his help.” *Id.*
20. Based upon the representations of Defendant Hashim’s brother—believed to be still involved in the business—the Defendants cannot claim that their business model is not based on knowingly deceptive practices.

Finders are Not Exempt from UDAP

21. While several states, including Pennsylvania, have some regulation of finders, it is minimal and primarily focus on controlling limiting the fee that can be charged and preventing fraudulent claims made without the authorization of the property-owner.
22. Pennsylvania regulates finders as part of their unclaimed property laws, 72 P.S. §§ 1301.11 *et seq.*, which requires unclaimed property finders to register with the Pennsylvania State Treasurer, sets the necessary contents for a finder agreement, and fix the maximum recovery for the finder at 15%.
23. One of the requirements of the any agreement is specifically identifying the “name, address, and telephone number” of the finder, as well as their valid certificate of registration number. § 1301.11 (g).
24. The Pennsylvania Treasurer is empowered to make regulations under this law, and has prescribed an application with instructions advising: “all individuals who operate as finders in Pennsylvania need to obtain a finder registration number even if they work for the same company.” *Exhibit C* at 1.
25. Upon information and belief, Defendant U.S. Claims Services has one person registered as a ‘Finder’ with the Pennsylvania Treasurer: Defendant Paul Hashim.
26. Nowhere in the relevant laws are finders exempted from state consumer protection requirements, nor are their duties to properly inform consumers modified in any way.
27. Further, Defendants can not claim that their practices have the imprimatur of the Pennsylvania State Treasurer: “Nothing in this section shall be construed to prevent an owner from asserting at any time that any agreement to locate or reveal abandoned and unclaimed property reported to the State Treasurer is based on an excessive or unjust consideration.” § 1301.11 (j).

Mr. DeSimone's Property

28. In early April 2019, Mr. DeSimone was contacted by Defendant U.S. Claims Services, advising him that Defendants had identified unclaimed property belonging to him in the value of \$469.10.
29. The contract that Defendant U.S. Claims Services sent complied with the requirements of § 1301.11 (g), and identified Defendant Paul Hashim as the registered finder. However, it is worth note that the email address on the invoices was not to Paul Hashim, but rather a Ms. Shirley Wysinger (who is not registered with the Pennsylvania Treasurer as a Finder).
30. At no point did Mr. DeSimone know or suspect that Defendant U.S. Claims Services' services were unnecessary or that he could recover his unclaimed property himself. Therefore, Mr. DeSimone completed, signed, and had-notarized, believing it to be necessary to recover his monies.
31. In fact—as he lives on a modest income with substantial debt—had Mr. DeSimone known that he could recover his money without using the Defendants' services, he certainly would have.
32. Defendant U.S. Claims Services thereafter submitted Mr. DeSimone's claim to the Pennsylvania Treasurer and the full amount of monies was sent to Mr. DeSimone, pursuant to Pennsylvania laws.
33. Several months after recovering his money Mr DeSimone began receiving invoices from Defendant Payne for \$70.36. Mr. DeSimone did not initially recall the reason for the invoice and was confused by its statement: "Your prompt payment is appreciated so we may continue to search and locate any additional monies owed to you." *Exhibit A*.
34. Mr. DeSimone spoke to his brother about the invoice, who advised him that it was a scam and he could recover unclaimed property himself for free. However, that jogged Mr. DeSimone's memory whereupon he recalled that Defendant U.S. Claims Services had contacted him regarding his monies earlier that year.

35. Mr. DeSimone was therefore upset that he had been deceived and was being charged for something he could have– and would have– done himself for free. He therefore ignored the first and second notices, believing that was part of the Defendants’ scam, that they were merely trying to collect fraudulent debt, and if he ignored them they would go away.
36. However, Mr. DeSimone received another invoice stamped ‘FINAL NOTICE’ which stated: “You have a legally binding contract with our company and have failed to remit payment as agreed. If your payment is not received within 10 days, this account will be turned over to our collections agency for legal action which may result in additional costs to you.” *Exhibit B*.
37. Thereafter, Mr. DeSimone spoke to counsel regarding this issue.

CLASS

38. Plaintiff brings this action as a class action pursuant to Pa. R. Civ. P. 1702, 1708, and 1709 on behalf of themselves and the following class:

All persons nationwide that were solicited– and had successful claims to recover personal, family or household property– for which monies were invoiced– or debited– by Defendant U.S. Claims Services between January 11th 2018 and present.
39. The members of the class are so numerous that joinder of all members is impractical. Plaintiffs do not know the number of class members that exist however it is estimated to be more than one-thousand. However, the precise number of class members and their identities can be ascertained from the records of Defendants. It would be impracticable to individually join these plaintiffs without the use of a class action lawsuit.
40. The representative plaintiff’s claims raise questions of law and fact common to all class members. Among the questions of law and fact common to the class are the following:
 - (a) Did the Defendants know their services (e.g. “ordering/providing proper forms, answering any questions, and following up with the claim status”) were of limited to zero value?

- (b) Did the Defendants solicitation represent their services as ‘needed’ and/or lack information necessary to evaluate the value of Defendants’ ‘services’?
 - (c) Did the Defendants know at the time of their solicitation that their services were of dubious value yet still misrepresented their services as needed and/or failed to disclose that information to induce the transaction with Plaintiffs and the proposed Class?
 - (d) Does Defendants conduct fall within the catch-all provision as “any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding” under UTPCPL § 201-2 (4) (xxi)?
 - (e) If Defendants complied with state law regulating finders of unclaimed property does that otherwise exempt them from UDAP statutes?
 - (f) Did Defendant Paul Hashim personally participate in these unfair or deceptive acts or practices and therefore be subject to personal liability without the shield of corporate limited liability?
 - (g) Does Defendant U.S. Claims Service exist primarily for the benefit of- and which is dominated by- Defendant Paul Hashim and family and is therefore subject to the veil-piercing doctrine?
41. The claims of the representative plaintiff are typical of, if not identical to, the claims of each member of the class because the representative plaintiffs and all class members were solicited by- and contracted with- Defendants to recover their unclaimed property without being provided necessary information to evaluate the nature of these services—specifically that property-owners can quickly, easily, and **freely** recover their property from the state—which was known by the Defendants at the time and withheld in order to induce them into the transaction. Any individual variation between the representative plaintiff and an absent class member is minimal and will not effect the ability of the representative plaintiff to fairly represent the class.
42. The representative plaintiff will fairly and adequately protect the interests of all class members. They have retained competent counsel who has experience in complex litigation, and knowledge of consumer protection laws, who will prosecute this action vigorously. Neither representative plaintiff

not their counsel have any interests antagonistic to or in conflict with the class; their interests are antagonistic to the interests of the defendants; and they will vigorously pursue the claims of the class. Representative plaintiffs have adequate financial resources to vigorously pursue this action, including an agreement by their counsel to prosecute this action on a contingent basis and to advance the reasonable and necessary costs and expenses of litigation.

43. A class action provides a fair and efficient method for adjudication of the controversy.
44. The questions of law or fact common to the class members predominate over any questions affecting only individual members. The common questions set forth above (¶ 40) will affect all class members alike and predominate over any individual issues that could be present, as the resolutions of those are the essential elements of the cause of action that may be proven through simultaneous class-wide evidence.
45. There are an unknown member of class members, but believed to be more than one-thousand, and their claims are substantially identical. The case presents no unusual management difficulties. The claims are ideally suited to class treatment, as the claims involve matters of consumer protection law and the size of the class is too large for individual litigation, but not so large as to present an obstacle to the manageability as a class action.
46. The prosecution of separate actions by individual members of the class would, as a practical matter, impair or impede the ability of others who are not parties to the individual actions to protect their interests, and defendants could be confronted with inconsistent standards of conduct.
47. To plaintiff's knowledge, no other cases have been brought against Defendant U.S. Claims Services concerning the class members' claims. Upon information and belief, any litigation involving Defendant U.S. Claims Services by putative class members would have been defensive in nature—that is, defending themselves against Defendant U.S. Claims Services or their collections agency's attempt to pursue alleged debts. No such litigation was revealed, but would be revealed through discovery of the Defendants.

48. This Court is an appropriate forum to concentrate all litigation respecting class member claims. As the class members would be distributed widely throughout the nation, there is no significant nexus to the defendants' place of incorporation or principal place of business, and Defendants have indicated they intend to rely on Pennsylvania finders law, §§ 1301.11 *et seq.*, for their defense. Defendants also seem to conduct a significant amount of their business within Pennsylvania, of which this Court sits in the most populous city of. This Court has substantial experience with complex- and class-action-litigation, and the judicial resources to effectively manage it. Therefore, there is no better or more appropriate forum.
49. While the individual damages at issue are not large, they are not so small in relation to the expense and effort of administering the action. Upon information and belief the average class member's claim is between \$100 and \$1000. Further, this suit seeks both damages and injunctive relief, and any expense of this suit is justified by the prevention of future harm to the public.

COUNTS

Count # 1

Pennsylvania Unfair Trade Practices Consumer Protection Law

73 P.S. § 201-1 *et seq.*

50. Plaintiff incorporates by reference ¶¶ 1 to 49 above as if fully set forth herein.
51. Plaintiff—individually and on behalf of the proposed class—alleges Defendants engaged in conduct unlawful under the Pennsylvania Unfair Trade Practices Consumer Protection Law (UTPCPL), 73 P.S. § 201-1 *et seq.*
52. Defendants engaged in this unlawful conduct through their solicitations to the rightful owners of unclaimed property, where they fail to disclose that the services they provide are unnecessary and freely available from the state that is holding the property.
53. Defendants induced property-owners to enter into contracts where the Defendants would be paid a

percentage of the recovered amounts in exchange for their services of dubious value (e.g. “ordering/providing proper forms, answering any questions, and following up with the claim status”).

54. All “services” provided by the Defendants are freely available from the state holding the property and offer no real value or advantage to the property-owner.
55. The UTPCPL allows Private Actions for “[a]ny person who purchases [] services primarily for personal, family or household purposes and thereby suffers any ascertainable loss of money or property, real or person, as a result of the use or employment by any person of a method, act or practice declared unlawful by [UTPCPL § 201-3], may bring a private action to recover actual damages or one hundred dollars (\$100), whichever is greater.” UTPCPL § 201-9.2 (a).
56. Plaintiff and members of the proposed Class are “person[s]” as defined by UTPCPL § 201-2 (2).
57. Plaintiffs and members of the proposed Class have suffered an ascertainable loss in the Defendants have enforced– or attempted to enforce– a contract entered into through deception which resulted in either a loss of monies to– or an outstanding debt owed by– the plaintiff and class members.
58. Defendants used “unfair or deceptive acts or practices” declared unlawful by UTPCPL § 201-3, including both “[k]nowingly misrepresenting that services . . . are needed if they are not needed” and “[e]ngaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding.” UTPCPL § 201-2 (4) (xv) & (xxi).
59. Defendants Hashim and U.S. Claims Services are also “person[s]” as defined by UTPCPL § 201-2 (2).
60. Under the DTPCPA, Plaintiffs and members of the proposed Class are entitled to economic damages, subject to trebling, § 17.50 (b) (1), injunctive relief, § 17.50 (b) (2), attorney’s fees, § 17.50 (d), and any other relief the Court deems proper, § 17.50 (b) (4).
61. For violations of the UTPCPL, Plaintiffs and members of the proposed Class are entitled to actual damages, subject to trebling (but in no circumstances less than \$100), attorney’s fees, costs and any other relief the Court deems necessary or proper. § 201-9.2 (b).

Count # 2

Texas Deceptive Trade Practices–Consumer Protection Act

Tex. Bus. & Com. Code Ann. §§ 17.41 *et seq.*

62. Plaintiff incorporates by reference ¶¶ 1 to 49 above as if fully set forth herein.
63. Plaintiff—individually and on behalf of the proposed class—alleges Defendants engaged in unlawful and deceptive conduct under the Texas Deceptive Trade Practices–Consumer Protection Act (DTPCPA), Tex. Bus. & Com. Code §§ 17.41 *et seq.*
64. The DTPCPA allows consumers to initiate an action for “the use or employment by any person of a false, misleading, or deceptive act or practice that is: (A) specifically enumerated in [DTPCPA § 17.46 (b)]; and (B) relied on by a consumer to the consumers detriment[.]” DTPCPA § 17.50 (a).
65. Defendants engaged in unlawful “false, misleading, or deceptive acts or practices”, DTPCPA § 17.46 (a), by “failing to disclose information concerning [] services which was known at the time of the transaction if such failure to disclose such information was intended to induce the consumer into a transaction into which the consumer would not have entered had the information been disclosed,” DTPCPA § 17.46 (b) (24).
66. Plaintiff and members of the proposed Class are “consumer[s]” as defined by DTPCPA § 17.45 (4).
67. Plaintiff and members of the proposed Class have suffered “economic damages” as defined by DTPCPA § 17.45 (11) in that Defendants have enforced– or attempted to enforce– a contract entered into through deception which resulted in either a loss of monies to– or an outstanding debt owed by– the plaintiff and class members.
68. Plaintiff and members of the proposed Class relied upon Defendants deception to their detriment under § 17.50 (a), as they were induced into– and entered– a fraudulent and deceptive contract with the Defendants due to the Defendants failing to disclose essential information that the services were either worthless or nearly so.

69. For violations of the DTPCPA, Plaintiffs and members of the proposed Class are entitled to economic damages, subject to trebling, § 17.50 (b) (1), injunctive relief, § 17.50 (b) (2), attorney's fees, § 17.50 (d), and any other relief the Court deems proper, § 17.50 (b) (4).

JURY DEMAND

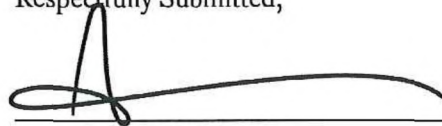
For any issues so triable, Plaintiff hereby demands a jury trial.

RELIEF

WHEREFORE, Plaintiff, on behalf of himself and all others similarly situated, demand that this Court enjoin Defendants Hashim and U.S. Claims Services (d/b/a Payne Richards & Associates), and any related or successor entities by requiring them in their solicitations to disclose that their services are unnecessary, and provide clear and conspicuous instructions for the property-owner to file their claim directly with the appropriate state should they choose to do so.

Further, Plaintiffs demand that judgment be entered in the favor of the Plaintiff DeSimone, on behalf of himself and all others similarly situated, against Defendants Hashim and U.S. Claims Services in an amount in excess of \$50,000 including damages, statutory trebling, attorneys' fees, costs of suit and any other relief this Court may deem just and proper.

Respectfully Submitted,

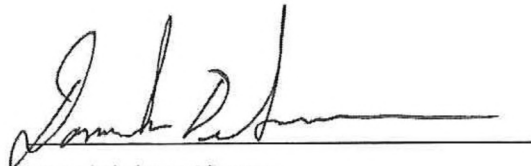


Andrew B. Austin, Esq.
Pennsylvania Bar # 323768
Attorney for Plaintiff and Proposed Class

P.O. Box # 54628
Philadelphia, Pennsylvania 19148
+1 (610) 656-1956
austin@stackhousegroup.com

VERIFICATION OF DOMINICK DESIMONE

I, Dominick DeSimone, hereby state that I am a Plaintiff in this action and declare as follows: I have reviewed this Complaint, and all statements and information contained within are true and correct to the best of my knowledge, information, and belief. Further, I understand that the statements in this Complaint are subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).


Dominick DeSimone

DATE 11-26-19

Exhibit A

Past Due Invoice



3801 Pegasus Dr, suite 101
Bakersfield, CA 93308

Invoice

Date	Invoice #
9/17/2019	9896080

Bill To

DOMINICK DESIMONE
845 CROSS ST
PHILADELPHIA, PA 19147-6404

**PAST DUE
NOTICE**

Pay By

10/18/2019

Terms

15 DAYS

Quantity	Description	Rate	Amount
	Pennsylvania #9896080	70.36	70.36
	<p>Over 40 billion dollars remains unclaimed nationwide. Your prompt payment is appreciated so we may continue to search and locate any additional monies owed to you.</p> <p>PAYMENT OPTIONS: Online - www.prclaims.com Telephone - 1-800-995-2416 option #3 Check or money order by mail</p>		
PAYABLE IMMEDIATELY UPON RECEIPT		Total	\$70.36
Phone #	Fax #	E-mail	
1-800-995-2416	1-661-399-1201	shirleyw@usclaimsservices.com	

Exhibit A

19

Case ID: 191200218



I.

This agreement into by and between Dominick Desimone hereinafter referred to as "Claimant," and Payne Richards & Associates, hereinafter referred to as "Agent." Claimant authorizes Agent to communicate on his/her behalf and provide assistance during the recovery process.

II.

The Agent through his/her efforts has located Claimant, who may be entitled to the assets in the possession of the State Treasurer of Pennsylvania, 129 Finance Building, Harrisburg, PA 17120 as described below:

Owner's Name(s): DOMINICK DESIMONE
 Owner's Reported Address: 845 CROSS ST, PHILADELPHIA, PA
 Reported By: ARAMARK
 Property Type: WAGES; PAYROLL UNCLAIMED
 Amount: \$469.10
 Property ID No: 24159865
 Payne Richards & Associates Reference No: 9896080

III.

In consideration of Agent's reasonable efforts in providing service, including but not limited to, ordering/providing proper forms, answering any questions and following up with claim status, Claimant agrees to pay Agent a fee of 15% of the amount recovered.

IV.

As additional consideration, Claimant will fully assist and cooperate with Agent in recovering the funds.

V.

Agent and Claimant agree that in the event Claimant is not entitled to assets described above and such assets are not recovered, there is no obligation on either party to the other, all expenses being borne by the Agent.

VI.

This agreement is valid for (1) one year from the date signed by the Claimant or until assets are recovered and all fees are paid. Claimant agrees to work exclusively with Agent to recover assets described herein during the term of this agreement.

Agent: Payne Richards & Associates Address: 3801 Pegasus Drive Suite 101 Bakersfield, CA 93308

Daytime Phone: (661) 399-1108 Date: 3/28/2019

Agent's Tax ID No.: EIN# 05-0614871 Registration No. 0980131-0315 Agent's Signature: Paul Hoban

Print Name: DOMINICK DESIMONE Date: 4/17/19
 Address: 845 CROSS ST Phila Pa 19147
 E-mail: [Signature] Daytime Phone: 267-449-1576
 Signature: [Signature] Relationship: ☒ Self ☐ Heirs ☐ POA ☐ Executor

PLEASE SIGN THIS AGREEMENT IN THE PRESENCE OF A NOTARY PUBLIC

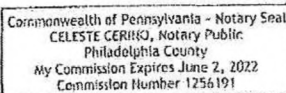
State of PA
 County of Phila

Before me, the undersigned authority, on this day personally appeared Dominick Desimone; known to me to be the person whose name is subscribed to the foregoing Standard Recovery Agreement, who on oath stated to me that he freely and voluntarily executed the same purposes therein expressed, and acknowledged the same to be his free act and deed.

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 17th DAY OF April, 2019

Celeste Cerino

Notary Public in and for the State of PA
 My commission expires: 6/24/22



3801 Pegasus Drive, Suite 101, Bakersfield, CA 93308 • tel (661) 399-1108 • www.PRClaims.com

Exhibit B

Final Invoice Threatening Collections



3801 Pegasus Dr, Suite 101
Bakersfield, CA 93308

Invoice

Date	Invoice #
9/17/2019	9896080

Bill To

DOMINICK DESIMONE
845 CROSS ST
PHILADELPHIA, PA 19147-6404

FINAL NOTICE

		Pay By	Terms
		11/5/2019	10 DAYS
Quantity	Description	Rate	Amount
	Pennsylvania #9896080	70.36	70.36
<p>You have a legally binding contract with our company and have failed to remit payment as agreed. If your payment is not received within 10 days, this account will be turned over to our collections agency for legal action which may result in additional costs to you.</p> <p>If you have made your payment, please disregard this notice and THANK YOU.</p> <p>PAYMENT OPTIONS: Online – www.prelaims.com Telephone – 1-800-995-2416 option #3 Check or money order by mail</p>			
PAYABLE IMMEDIATELY UPON RECEIPT		Total	\$70.36
Phone #	Fax #	E-mail	
1-800-995-2416	1-661-399-1201	shirleyw@usclaimsservices.com	



I.

This agreement into by and between Dominick Desimone hereinafter referred to as "Claimant," and Payne Richards & Associates, hereinafter referred to as "Agent." Claimant authorizes Agent to communicate on his/her behalf and provide assistance during the recovery process.

II.

The Agent through his/her efforts has located Claimant, who may be entitled to the assets in the possession of the State Treasurer of Pennsylvania, 129 Finance Building, Harrisburg, PA 17120 as described below:

Owner's Name(s): DOMINICK DESIMONE
 Owner's Reported Address: 845 CROSS ST. PHILADELPHIA, PA
 Reported By: ARAMARK
 Property Type: WAGES: PAYROLL UNCLAIMED
 Amount: \$462.10
 Property ID No: 24159865
 Payne Richards & Associates Reference No: 9896080

III.

In consideration of Agent's reasonable efforts in providing service: including but not limited to, ordering/providing proper forms, answering any questions and following up with claim status, Claimant agrees to pay Agent a fee of 15% of the amount recovered.

IV.

As additional consideration, Claimant will fully assist and cooperate with Agent in recovering the funds.

V.

Agent and Claimant agree that in the event Claimant is not entitled to assets described above and such assets are not recovered, there is no obligation on either party to the other, all expenses being borne by the Agent.

VI.

This agreement is valid for (1) one year from the date signed by the Claimant or until assets are recovered and all fees are paid. Claimant agrees to work exclusively with Agent to recover assets described herein during the term of this agreement.

Agent: Payne Richards & Associates Address: 3801 Pegasus Drive Suite 101 Bakersfield, CA 93308

Daytime Phone: (661) 399-1108 Date: 3/28/2019

Agent's Tax ID No.: EIN# 05-0614871 Registration No. 0980131-0315 Agent's Signature: Paul Hahn

Print Name: DOMINICK DESIMONE Date: 4/17/19
 Address: 845 CROSS ST Phila Pa 19147
 E-mail: [Signature] Daytime Phone: 267-444-1576
 Signature: [Signature] Relationship: ☒ Self ☐ Heirs ☐ POA ☐ Executor

PLEASE SIGN THIS AGREEMENT IN THE PRESENCE OF A NOTARY PUBLIC

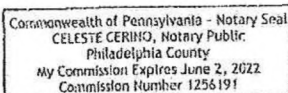
State of PA
 County of Phila.

Before me, the undersigned authority, on this day personally appeared Dominick Desimone; known to me to be the person whose name is subscribed to the foregoing Standard Recovery Agreement, who on oath stated to me that he freely and voluntarily executed the same purposes therein expressed, and acknowledged the same to be his free act and deed.

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 17th DAY OF April, 2019

Celeste Cerino

Notary Public in and for the State of PA
 My commission expires: 6/21/22



3801 Pegasus Drive, Suite 101, Bakersfield, CA 93308 • tel (661) 399-1108 • www.PRClaims.com

Exhibit C

Application For Certificate Of Finder Registration



APPLICATION FOR CERTIFICATE OF FINDER REGISTRATION

Pennsylvania Fiscal Code Sections
1301.11, 1301.11(a), 1301.11(b) and 1301.11(c)



INSTRUCTIONS

APPLICATION FOR CERTIFICATE OF FINDER REGISTRATION

All questions must be typewritten or written in black or blue ink. All answers must be legible. The Department will view illegible answers as blank answers. All questions must be answered completely. If an answer is not applicable, indicate as much.

All supplemental answers must include the number of the corresponding question.

Question 1. List the e-mail address and telephone number that will be used on your contracts unless you have a company.

Question 2. This question must only be answered if you are operating as a finder from a business. Please be advised that all individuals who operate as finders in Pennsylvania need to obtain a finder registration number even if they work for the same company. The finder registration number belongs to the individual not the business.

For example: five employees from ABC Finder Company operate as finders in Pennsylvania then five finder registration numbers must be issued. It does not matter where the employee is physically headquartered or where the claimants reside as long as the employee is in the business of finding property reported to Pennsylvania for claimants, they need to obtain a registration number.

Question 3. If you answered yes, you must provide the information requested.

Question 4. This includes a conviction or guilty plea in Pennsylvania as well as in another state or the federal jurisdiction. If the answer is yes, you must detail the crimes you pled guilty to or were convicted of as well as the circumstances surrounding the crimes. You may include any extenuating circumstances that you believe Treasury should take into consideration when evaluating your application.

Question 5-7. It is incumbent upon the applicant to answer these questions honestly. If an applicant is unsure if a plea or conviction in another jurisdiction is applicable, the applicant should still disclose on a separate sheet of paper the plea or conviction and the circumstances surrounding such conviction.

No applicant should fail to disclose pleas or convictions because they believe such pleas or convictions were cleared from their criminal record. Often the records are not officially cleared and are still part of your criminal record. Failure to disclose may result in a denial.

Question 8. An administrative agency is any agency of federal, state and local government that may investigate citizens for infractions of criminal or civil laws. For example, the Pennsylvania Department of State provides professional licenses and investigates infractions of both criminal and civil law. Such investigations must be disclosed.

Question 9. You must disclose the bankruptcy, make note of the circumstances surrounding the bankruptcy and the status thereof.

Question 10. You must provide your finder agreement contract. This must be the finder agreement contract you will use for all property held by the Pennsylvania Treasury Department. Please be advised it may be considered a violation of your registration if the agreement that you provide to your clients is different from the agreement submitted with your application and you failed to amend it with the Office of Investigations.

Question 11. These character references are a must.

COMPLETED APPLICATION AND ACCOMPANYING FORMS

- You must include with your application the following:
 1. Application with all questions answers and all required supplemental sheets
 2. Recent full-face color photograph
 3. Copy of your driver's license or state issued identification card
 4. Original notarized character reference letters
 5. Copy of current contract that you used for Pennsylvania claimants
 6. Notarized Applicant Certification and Acknowledgement (last page of Application)

TREASURY WILL ONLY EVALUATE AND PROCESS COMPLETE APPLICATIONS FOR REGISTRATION.
Failure to completely answer questions or to provide supplemental information will cause your application to be deemed incomplete. Any incomplete applications will be returned to applicant without being processed.

- **IF YOUR APPLICATION IS COMPLETE PLEASE SEND IT TO:**

Office of Investigations 127 Finance Building
Harrisburg, PA 17120
PH – 717.787-1606

For your information

- It takes an average of 60 days for Treasury to evaluate applications.
- If you receive a registration, it must be listed on all claim forms with which you are associated.



APPLICATION FOR CERTIFICATE OF FINDER REGISTRATION

Pennsylvania Fiscal Code Sections 1301.11, 1301.11(a), 1301.11(b) and
1301.11(c)

Type or print using black or blue ink

Pursuant to the Unclaimed Property Act, this Application for Certificate of Finder Registration ("Application") is to be completed by any person wishing to engage in any activity for the purpose of locating, delivering, recovering, or assisting in the recovery of unclaimed property, and receive a fee, compensation, commission, or other remuneration for such activity. A separate form must be completed and submitted by each and every individual seeking to engage in this activity for compensation. Upon the filing of the Application, the Pennsylvania Treasury Department ("Treasury") may investigate the applicant to verify the information provided and to determine the applicant's eligibility for a Certificate of Finder Registration.

All questions must be completed. All supplemental answers provided to Treasury on separate sheets of paper *must be type written* and include the number of the corresponding question. **Please be advised that you must provide all required documentation before Treasury will begin processing your application.** Your application will not be deemed complete and ready for review unless all required documentation is provided.

Note: Confidential personal information may be accessed by Treasury employees in order to process, review and/or approve or deny your Application. The information requested is required for the processing of your Application, and if such information is not provided, Treasury may stop processing and/or deny your Application. By submitting an Application, you are providing your consent for Treasury employees to access confidential personal information for this purpose.

1. Name of Applicant: _____
 Home Address: _____
 City, State, Zip Code: _____
 Social Security Number: _____
 Telephone Number: _____ E-Mail Address: _____
2. Company Name: _____
 Doing Business As: _____
 Company Address: _____
 City, State, Zip Code: _____
 Federal Tax ID Number: _____
 Telephone Number: _____ E-Mail Address: _____

Certificate of Registration Application | Page 1 of 5

3. If you are a Pennsylvania resident, have you worked or resided outside Pennsylvania at any time during the preceding ten (10) years? If yes, provide on a separate sheet of paper your residential addresses outside Pennsylvania and the names, addresses, and telephone numbers of the employers for whom you worked. Yes _____ No _____
4. During the ten (10) year period immediately preceding submission of this Application, have you ever pled guilty to or been convicted of a felony in Pennsylvania or any other jurisdiction. Yes _____ No _____ If yes, please explain on a separate sheet of paper the circumstances surrounding the conviction, which must be attached to this Application.
5. During the ten (10) year period immediately preceding the submission of this Application, have you ever pled guilty to or been convicted of the following theft or theft related offenses under 18 Pa.C.S. Chapter 39 or its equivalent if committed in another jurisdiction (including federal):
- | | | |
|--|-----------|----------|
| a. Theft by unlawful taking or disposition | Yes _____ | No _____ |
| b. Theft by deception | Yes _____ | No _____ |
| c. Theft by extortion | Yes _____ | No _____ |
| d. Theft of property lost, mislaid or delivered by mistake | Yes _____ | No _____ |
| e. Receiving stolen property | Yes _____ | No _____ |
| f. Theft of services | Yes _____ | No _____ |
| g. Theft by failure to make required disposition of funds received | Yes _____ | No _____ |
| h. Unauthorized use of automobiles and other vehicles | Yes _____ | No _____ |
| i. Retail Theft | Yes _____ | No _____ |
| j. Library Theft | Yes _____ | No _____ |
| k. Unlawful possession of retail or library theft instruments | Yes _____ | No _____ |
| l. Organized retail theft | Yes _____ | No _____ |
| m. Theft of trade secrets | Yes _____ | No _____ |
| n. Theft of unpublished dramas and musical compositions | Yes _____ | No _____ |
| o. Theft of leased property | Yes _____ | No _____ |
| p. Theft of motor vehicle | Yes _____ | No _____ |

If you checked yes to any of the theft related offenses above, please explain the circumstances surrounding the conviction or plea on a separate sheet of paper, which must be attached to this Application.

If you checked "no" to all of the offenses in 5, please read and initial after the following statement:

I hereby attest under Section 4904 of the Pennsylvania Crimes Code and penalty of perjury that I have never been convicted or pled guilty to any of the above-mentioned theft offenses in Pennsylvania or any other jurisdiction. _____ initials

6. During the ten (10) year period immediately preceding the submission of this Application, have you ever pled guilty to or been convicted of the following forgery or fraudulent related offenses as set forth in 18 Pa.C.S. Chapter 41 or its equivalent if committed in another jurisdiction (including federal):
- | | | |
|---|-----------|----------|
| a. Forgery | Yes _____ | No _____ |
| b. Simulating object of antiquity, rarity, etc. | Yes _____ | No _____ |
| c. Fraudulent destruction, removal or concealment of recordable instruments | Yes _____ | No _____ |
| d. Tampering with records or identification | Yes _____ | No _____ |
| e. Bad checks | Yes _____ | No _____ |
| f. Access device fraud | Yes _____ | No _____ |
| g. Unlawful device-making equipment | Yes _____ | No _____ |
| h. Deceptive or fraudulent business practices | Yes _____ | No _____ |
| i. Deception relating to kosher food products | Yes _____ | No _____ |
| j. Deception relating to certification of minority business enterprise or women's business enterprise | Yes _____ | No _____ |

- | | | |
|--|-----------|----------|
| k. Commercial bribery and breach of duty to act disinterestedly | Yes _____ | No _____ |
| l. Rigging publicly exhibited contest | Yes _____ | No _____ |
| m. Defrauding secured creditors | Yes _____ | No _____ |
| n. Fraud in insolvency | Yes _____ | No _____ |
| o. Receiving deposits in a failing financial institution | Yes _____ | No _____ |
| p. Misapplication of entrusted property and property of government or financial institutions | Yes _____ | No _____ |
| q. Securing execution of documents by deception | Yes _____ | No _____ |
| r. Falsely impersonating persons privately employed | Yes _____ | No _____ |
| s. Copying; recording devices | Yes _____ | No _____ |
| t. Unlawful operation of recording device in motion picture theater | Yes _____ | No _____ |
| u. Insurance fraud | Yes _____ | No _____ |
| v. Washing vehicle titles | Yes _____ | No _____ |
| w. Trademark counterfeiting | Yes _____ | No _____ |
| x. Identity theft | Yes _____ | No _____ |

If you checked yes to any of the fraud related offenses above, please explain the circumstances surrounding the conviction or plea on a separate sheet of paper, which must be attached to this Application.

If you checked "no" to all of the offenses in 6, please read and initial after the following statement:

I hereby attest under Section 4904 of the Pennsylvania Crimes Code and penalty of perjury that I have never been convicted or pled guilty to any of the above-mentioned forgery or fraudulent related offenses in Pennsylvania or any other jurisdiction.

_____initials

7. During the ten (10) year period immediately preceding the submission of this Application, have you ever pled guilty to or been convicted of the following perjury, false swearing, fraud or other related offenses as set forth in 18 Pa.C.S. Chapter 49 or its equivalent if committed in another jurisdiction (including federal):

- | | | |
|--|-----------|----------|
| a. Perjury | Yes _____ | No _____ |
| b. False swearing | Yes _____ | No _____ |
| c. Unsworn falsification to authorities | Yes _____ | No _____ |
| d. False alarms to agencies of public safety | Yes _____ | No _____ |
| e. False reports to law enforcement authorities | Yes _____ | No _____ |
| f. False reports of child abuse | Yes _____ | No _____ |
| g. Witness or information taking bribe | Yes _____ | No _____ |
| h. Tampering with or fabricating physical evidence | Yes _____ | No _____ |
| i. Tampering with public records or information | Yes _____ | No _____ |
| j. Impersonating a public servant | Yes _____ | No _____ |
| k. Impersonating a notary public or holder of a professional or occupational license | Yes _____ | No _____ |
| l. False identification to law enforcement authorities | Yes _____ | No _____ |
| m. Failure to comply with registration of sexual Offenders requirement | Yes _____ | No _____ |
| n. Failure to comply with registration requirements | Yes _____ | No _____ |

If you checked yes to any of the fraud related offenses above, please explain the circumstances surrounding the conviction or plea on a separate sheet of paper, which must be attached to this Application.

If you checked "no" to all of the offenses in 7, please read and initial after the following statement:

I hereby attest under Section 4904 of the Pennsylvania Crimes Code and penalty of perjury that I have never been convicted or pled guilty to any of the above-mentioned forgery or fraudulent related offenses in Pennsylvania or any other jurisdiction.

_____initials

8. Did you act as a finder in Pennsylvania previous to the registration requirement? Yes _____ No _____

If you answered yes to number 8, please answer the following questions:

- a. Did you ever violate the Pennsylvania Disposition of Abandoned and Unclaimed Property Act, including charging clients and/or unclaimed property claimants more than 15% of the value of property?

Yes _____ No _____. If yes, please explain the circumstances on a separate sheet of paper that must be attached to this application.

- b. Have you ever been the subject of an investigation by a state, county or local administrative agency?

Yes _____ No _____. If yes, please explain the circumstances on a separate sheet of paper that must be attached to this application.

9. Have you or has your business filed for bankruptcy in the last ten (10) years? Yes _____ No _____. If yes, please explain the circumstances and status of the bankruptcy on a separate sheet of paper that must be attached to this Application.

10. Please submit a copy of your unclaimed property finder contract that will be provided to claimants.

11. You must also provide Treasury with two character references along with a written statement from each. The written statements must be attached to this application and the character witnesses contact information must be completed below. Treasury may contact these witnesses when processing this Application. Please be advised that the character references may not include family members, current employees or subcontractors.

- a. Character Witness Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____

- b. Character Witness Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____

12. I understand the following:

Should I be granted a registration to act as an unclaimed property finder in Pennsylvania, I will faithfully follow the Disposition of Abandoned and Unclaimed Property Act (72 P.S. § 1301.1 et seq.), any unclaimed property regulations set forth in the Pennsylvania Code, and any Bureau of Unclaimed Property policies. I understand that by law my fee must not exceed of fifteen (15%) of the value of the unclaimed property. I further understand that Treasury will both investigate my application and, if I am approved for a registration, may initiate an investigation for any allegation or complaint of misconduct. I understand that Treasury may revoke my registration in accordance with the provisions of the Disposition of Abandoned and Unclaimed Property Act. _____ (initials)

Certificate of Registration Application | Page 4 of 5

Mail: (1) Application, (2) recent full-face color photograph, (3) a copy of your driver's license or state issued identification card (4) original, notarized character reference letters from above-listed references, and (5) copy of a current contract that you will use for Pennsylvania claimants¹ to:

Office of Investigations 127 Finance Building
Harrisburg, PA 17120
PH – 717-787-1606
Email – finderregistration@patreasury.gov

Applicant Certification and Acknowledgement

I do hereby certify that I have not, during the ten year period immediately preceding the submission of this application, violated, been convicted, or pled guilty to any crimes enumerated in Chapters 39, 41 or 49 in the Pennsylvania Crimes Code as specified above.

I further certify, under penalties of perjury, that all the information provided on this Application for Registration is true and correct, and all supporting documentation presented are original or true unaltered copies of the original documents. I acknowledge that any false or perjured statement may subject me to criminal liability under Pennsylvania Crimes Code Section 4904 and Sections 1301.25 of the Disposition of Abandoned and Unclaimed Property Act. I acknowledge that any false information, or the discovery of any disqualifying information, may be grounds for the denial or revocation of a certificate of registration.

I certify that I have read and will abide by the requirements of the **Disposition of Abandoned and Unclaimed Property Act**. I will hold the Commonwealth of Pennsylvania and Treasury Department, its officers and employees, harmless from any damages, losses, or claims of any kind resulting from my submission of this Application for Registration and any denial, or subsequent revocation, of the approval to engage in activities under the **Disposition of Abandoned and Unclaimed Property Act**, as well as any damages, losses, or claims of any kind arising from a finding that an agreement entered into pursuant to the **Disposition of Abandoned and Unclaimed Property Act** is invalid.

Applicant's Signature _____

Date _____

State of _____

County of _____

This Application for Registration was signed, in my presence, by Applicant, and sworn before me on this _____ day of _____, 20____.

Seal or Stamp _____

Notary Public Signature _____

¹ Please be advised that any changes to your finder contract must be submitted as an amendment to your application for registration as long as you are a registered Pennsylvania finder.

Andrew B. Austin, Esq.
Pennsylvania Bar # 323768
Attorney for Plaintiff and Proposed Class
P.O. Box # 54628
Philadelphia, Pennsylvania 19148
+1 (610) 656-1956
austin@stackhousegroup.com

Dominick **DeSimone**, *Plaintiff(s)*;

vs.

U.S. Claims Services Inc., *and Paul Hashim*, *Defendant(s)*.

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

December Term, 2019
No. 218

CLASS ACTION

AFFIDAVIT OF SERVICE

I, Andrew B. Austin, Esq., attorney for the Plaintiff and Proposed Class, hereby depose and say:

1. Defendant U.S. Claims Services was served on **December 9th 2019** via certified mail, return receipt requested—in accordance with Pennsylvania Rules of Civil Procedure No. 404 (2) (service outside the Commonwealth) and No. 403 (service by mail)—at their principal place of business: 3801 Pegasus Drive # 101, Bakersfield, California, 93308. The document was accepted, signed and proof of service was returned. (*Ex. B.*)
2. Defendant Paul R. Hashim was served on **December 13th 2019** via certified mail, return receipt requested—in accordance with Pennsylvania Rules of Civil Procedure No. 404 (2) (service outside the Commonwealth) and No. 403 (service by mail)—at his home address listed with the Texas Secretary of State: 852 Lombardy Court, Fort Worth, Texas 76112. (*Ex. A.*) The document was accepted, signed and proof of service was returned. (*Ex. C.*)

Respectfully Submitted,

A handwritten signature in black ink, consisting of a large, stylized capital 'A' followed by a horizontal line that extends to the right and then curves back down to the baseline.

Andrew B. Austin, Esq.
Pennsylvania Bar # 323768
Attorney for Plaintiff and Proposed Class

P.O. Box # 54628
Philadelphia, Pennsylvania 19148
+1 (610) 656-1956
austin@stackhousegroup.com

CERTIFICATE OF SERVICE

I, Andrew B. Austin, Esq., hereby certify that I have served a copy of this Affidavit of Service and other documents upon the Defendants' Attorney, Mr. William Palmer, Esq. of Palmer Law Group in Bakersfield, California via electronic- and first-class- mail on Friday, December 20th 2019.

Respectfully Submitted,

A handwritten signature in black ink, consisting of a large, stylized capital 'A' followed by a horizontal line that extends to the right and then curves back down to the baseline.

Andrew B. Austin, Esq.
Pennsylvania Bar # 323768
Attorney for Plaintiff and Proposed Class

P.O. Box # 54628
Philadelphia, Pennsylvania 19148
+1 (610) 656-1956
austin@stackhousegroup.com

EXHIBIT A

Texas Secretary of State Certificate of Formation for
U.S. Claims Services, Inc.

(reflecting Paul Hashim's address)

Form 201
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
Filing Fee: \$300



This space reserved for office use.

**Certificate of Formation
For-Profit Corporation**

FILED
In the Office of the
Secretary of State of Texas

JAN 11 2018

Corporations Section

Article 1 – Entity Name and Type

The filing entity being formed is a for-profit corporation. The name of the entity is:

U.S. Claims Services, Inc.

The name must contain the word "corporation," "company," "incorporated," "limited" or an abbreviation of one of these terms.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

☐ A. The initial registered agent is an organization (cannot be entity named above) by the name of:

Paracorp Incorporated

OR

☐ B. The initial registered agent is an individual resident of the state whose name is set forth below:

First Name	M.I.	Last Name	Suffix
------------	------	-----------	--------

C. The business address of the registered agent and the registered office address is:

3610-2 N Josey LN # 223	Carrollton	TX	75007
Street Address	City	State	Zip Code

Article 3 – Directors

(A minimum of 1 director is required.)

The number of directors constituting the initial board of directors and the names and addresses of the person or persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and qualified are as follows:

Director 1				
Paul	R	Hashim		
First Name	M.I.	Last Name	Suffix	
852 Lombardy Ct		Fort Worth	TX	76122 USA
Street or Mailing Address	City		State	Zip Code Country

Form 201

RECEIVED

4

JAN 11 2018

Secretary of State

Director 2				
First Name	M.I.	Last Name	Suffix	
Street or Mailing Address	City	State	Zip Code	Country

Director 3				
First Name	M.I.	Last Name	Suffix	
Street or Mailing Address	City	State	Zip Code	Country

Article 4 – Authorized Shares(Provide the number of shares in the space below, then select option A or option B, do not select both.)The total number of shares the corporation is authorized to issue is: 10,000☐ A. The par value of each of the authorized shares is: _____

OR

☒ B. The shares shall have no par value.

If the shares are to be divided into classes, you must set forth the designation of each class, the number of shares of each class, the par value (or statement of no par value), and the preferences, limitations, and relative rights of each class in the space provided for supplemental information on this form.

Article 5 – Purpose

The purpose for which the corporation is formed is for the transaction of any and all lawful business for which a for-profit corporation may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

--

Organizer

The name and address of the organizer:

Kenneth E. Rhodes
Name1101 18th St STE A
Street or Mailing AddressBakersfield
CityCA
State93301
Zip Code**Effectiveness of Filing** (Select either A, B, or C.)

- A. ☒ This document becomes effective when the document is filed by the secretary of state.
- B. ☐ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. ☐ This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____
- The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: December 27, 2017


Signature of organizer

Kenneth E. Rhodes

Printed or typed name of organizer

EXHIBIT B

Service via U.S. Postal Service for U.S. Claims Services, Inc.

(certified, return receipt attached)

USPS.com® - USPS Tracking® Results

12/20/19, 8:37 AM

USPS Tracking®

FAQs >

Track Another Package +

Get the free Informed Delivery® feature to receive automated notifications on your packages

Learn More

(https://reg.usps.com/xsell?app=UspsTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action)

Tracking Number: 70150640000343098859

Remove X

Your item was delivered to an individual at the address at 11:28 am on December 9, 2019 in BAKERSFIELD, CA 93308.

✓ Delivered

December 9, 2019 at 11:28 am
Delivered, Left with Individual
BAKERSFIELD, CA 93308

Get Updates ✓

Text & Email Updates

Tracking History

Product Information

https://tools.usps.com/go/TrackConfirmAction.action?tlLabels=70150640000343098859

Page 1 of 2

USPS.com® - USPS Tracking® Results

12/20/19, 8:37 AM

See Less ^


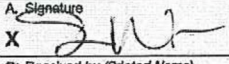
Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

<https://tools.usps.com/go/TrackConfirmAction.action?tlLabels=70150640000343098859>

Page 2 of 2

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>US CLAIMS SVCS INC 3801 PEGASUS DR #101 BAKERSFIELD CA 93308</p> <p> 9590 9402 3673 7335 6748 51</p> <p>2. Article Number (Transfer from service label)</p> <p>7015 0640 0003 4309 8859</p>		<p>A. Signature</p> <p>X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>Samir W. Khan</p> <p>C. Date of Delivery</p> <p>12/19</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

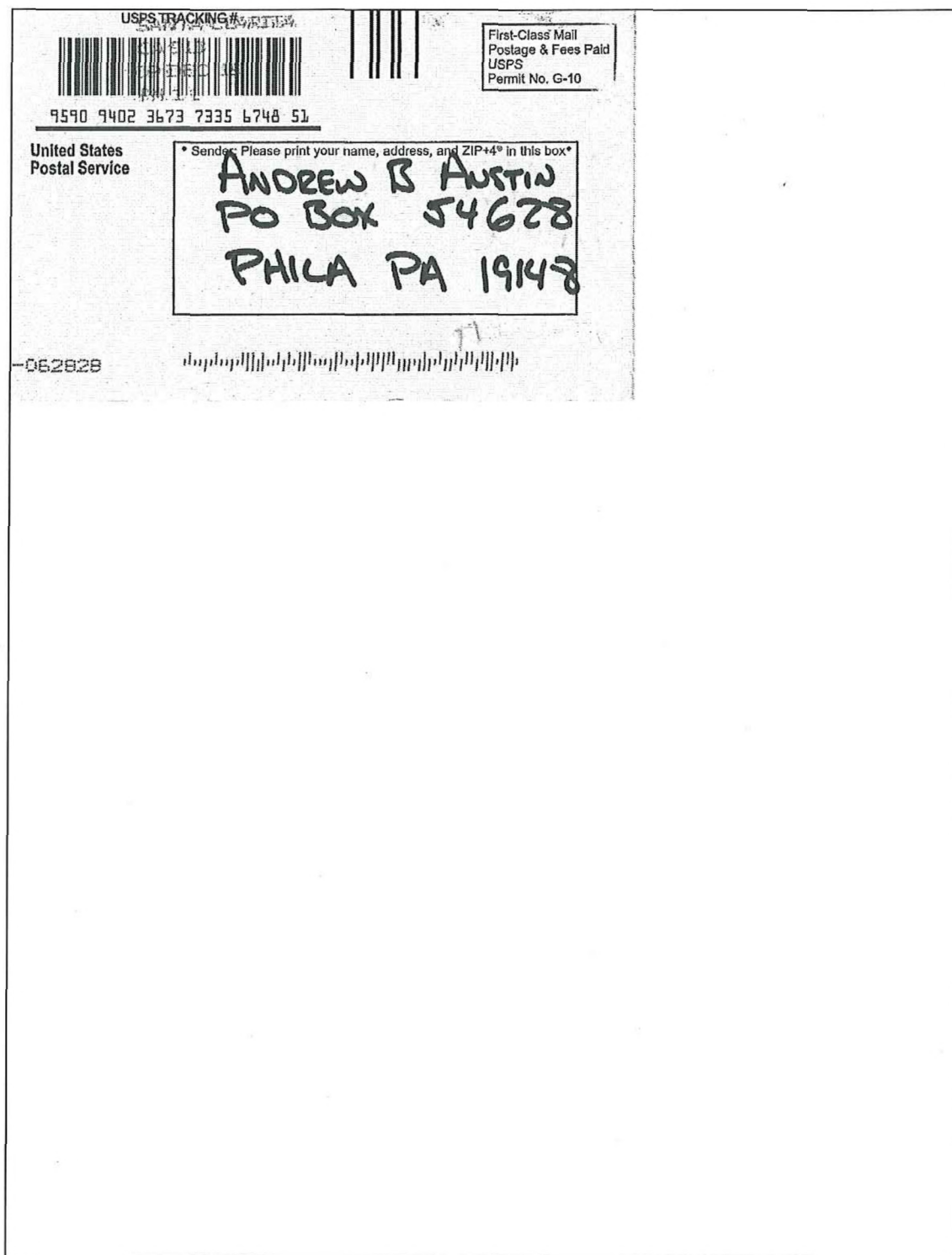


EXHIBIT C

Service via U.S. Postal Service for Paul R. Hashim

(certified, return receipt attached)

USPS.com® - USPS Tracking® Results

12/20/19, 8:36 AM

USPS Tracking®

FAQs >

Track Another Package +

Get the free Informed Delivery® feature to receive automated notifications on your packages

Learn More

(https://reg.usps.com/xsell?app=UspsTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action)

Tracking Number: 70150640000343098842

Remove X

Your item was delivered to an individual at the address at 6:07 pm on December 13, 2019 in FORT WORTH, TX 76112.

✓ Delivered

December 13, 2019 at 6:07 pm
Delivered, Left with Individual
FORT WORTH, TX 76112

Get Updates ✓

Text & Email Updates

Tracking History

December 13, 2019, 6:07 pm

https://tools.usps.com/go/TrackConfirmAction.action?tlLabels=70150640000343098842

Page 1 of 3

USPS.com® - USPS Tracking® Results

12/20/19, 8:36 AM

Delivered, Left with Individual

FORT WORTH, TX 76112

Your item was delivered to an individual at the address at 6:07 pm on December 13, 2019 in FORT WORTH, TX 76112.

December 13, 2019, 8:22 am

Arrived at Unit

FORT WORTH, TX 76105

December 10, 2019

In Transit to Next Facility

December 6, 2019, 9:30 pm

Departed USPS Regional Facility

FORT WORTH TX DISTRIBUTION CENTER

December 6, 2019, 7:01 am

Arrived at USPS Regional Destination Facility

FORT WORTH TX DISTRIBUTION CENTER

December 4, 2019, 8:59 pm

Arrived at USPS Regional Origin Facility

PHILADELPHIA PA DISTRIBUTION CENTER

December 4, 2019, 1:19 pm

USPS in possession of item

PHILADELPHIA, PA 19148

Product Information



<https://tools.usps.com/go/TrackConfirmAction.action?tlLabels=70150640000343098842>

Page 2 of 3

USPS.com® - USPS Tracking® Results

12/20/19, 8:36 AM

Postal
Product:
First-
Class
Mail®

Features:
Certified Mail™

See tracking for related item:
9590940236737335674868
(/go/TrackConfirmAction.action?
tLabels=9590940236737335674868)

See Less ^


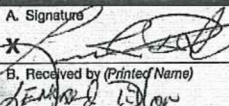
Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

<https://tools.usps.com/go/TrackConfirmAction.action?tLabels=70150640000343098842>

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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY			
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>PAUL R HASHIM 852 LOMBARDO CT FORT WORTH TX 76112</p>  9590 9402 3673 7335 6748 68		<p>A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </p> <p>B. Received by (Printed Name) PAUL R HASHIM </p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No </p> <p>3. Service Type</p> <table border="0"> <tr> <td> <input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery </td> <td> <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery </td> </tr> </table>		<input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery
<input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery				
<p>2. Article Number (Transfer from carrier label)</p> <p>7015 0640 0003 4309 8842</p>		<p>id Delivery</p>			
PS Form 3811, July 2015 PSN 7630-02-000-9053		Domestic Return Receipt			

